

Program D: Pardon Board

Program Authorization: Article XIV of 1974 Louisiana Constitution; R.S. 15:572-574.1; R.S. 36:409; R.S. 15:1111; Hayes Williams, et al v. John McKeithen, et al CA 71-98-b (M.D. La.)

PROGRAM DESCRIPTION

The mission of the Pardon Board, whose five members are appointed by the governor and confirmed by the state senate, is to recommend clemency relief (that is, commutation of sentence, restoration of parole eligibility, pardon, and restoration of rights) for offenders who have shown that they have been rehabilitated and have been or can become law-abiding citizens. Amendment #8 which was passed in the October 1999 election provides that first offenders no longer receive automatic pardons after their time has been served, thereby substantially increasing Pardon Board cases. In taking these actions, especially when deliberations involve the amount of time a person will remain incarcerated, the board seeks to strike a balance between public safety and provision of an incentive for offenders who have no release dates. No recommendation is implemented until the governor signs the recommendation. The goal of the Pardon Board is to continue to provide expeditious hearing and objective determination of applications for clemency.

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2001-2002. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

1. (KEY) To provide timely hearings annually and objectively review and make recommendations on applications for clemency annually.

Strategic Link: This operational objective is related to the following program strategic objectives: Strategic Objective I.1: *To conduct timely hearings annually*; and Strategic Objective I.2: *To objectively review and make recommendations on applications for clemency annually*.

Louisiana: Vision 2020 Link: This operational objective relates to Vision 2020 objective 3.3: *To have safe homes, schools, and streets throughout the state*.

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

Explanatory Note: Rule 3, relative to the discretionary powers of the board, states that the Board of Pardons may deny any applicant a hearing for any of the following reasons: serious nature of the offense; insufficient time served on sentence; insufficient time after release; proximity of parole/good time date; institutional disciplinary reports; probation/parole-unsatisfactory/violated; past criminal record; or any other factor determined by the board.

| L E V E L | PERFORMANCE INDICATOR NAME | PERFORMANCE INDICATOR VALUES | | | | | |
|-----------------------|--|--|--|---|---|--|---|
| | | YEAREND PERFORMANCE STANDARD FY 1999-2000 | ACTUAL YEAREND PERFORMANCE FY 1999-2000 | ACT 11 PERFORMANCE STANDARD FY 2000-2001 | EXISTING PERFORMANCE STANDARD FY 2000-2001 | AT CONTINUATION BUDGET LEVEL FY 2001-2002 | AT RECOMMENDED BUDGET LEVEL FY 2001-2002 |
| K | Number of case hearings | Not applicable ¹ | 222 | 162 | 162 | 244 | 244 |
| S | Number of applications received | Not applicable ¹ | 517 | 434 | 434 | 569 | 569 |
| S | Total number of cases - Rule 3 (denied) | Not applicable ¹ | 164 | 200 | 200 | 180 | 180 |
| S | Total number of cases - Rule 3 (granted) | Not applicable ¹ | 304 | 192 | 192 | 334 | 334 |

¹ This was a new performance indicators for 2000-2001. It did not appear under Act 10 of 1999 and has no performance standard for FY 1999-2000.

GENERAL PERFORMANCE INFORMATION: PARDON BOARD

| PERFORMANCE INDICATOR | PRIOR YEAR ACTUAL FY 1995-96 | PRIOR YEAR ACTUAL FY 1996-97 | PRIOR YEAR ACTUAL FY 1997-98 | PRIOR YEAR ACTUAL FY 1998-99 | PRIOR YEAR ACTUAL FY 1999-00 |
|---|---|---|---|---|---|
| Number of case hearings | 332 | 446 | 273 | 162 | 222 |
| Number of cases recommended to the Governor | 251 | 100 | 67 | 26 | 65 |
| Number of cases approved by the Governor | 333 | 0 | 0 | 26 | 36 |

RESOURCE ALLOCATION FOR THE PROGRAM

| | ACTUAL 1999 - 2000 | ACT 11 2000 - 2001 | EXISTING 2000 - 2001 | CONTINUATION 2001 - 2002 | RECOMMENDED 2001 - 2002 | RECOMMENDED OVER/(UNDER) EXISTING |
|---|-------------------------|-------------------------|-------------------------|-----------------------------|----------------------------|---|
| MEANS OF FINANCING: | | | | | | |
| STATE GENERAL FUND (Direct) | \$311,035 | \$320,375 | \$320,375 | \$282,548 | \$318,331 | (\$2,044) |
| STATE GENERAL FUND BY: | | | | | | |
| Interagency Transfers | 0 | 0 | 0 | 0 | 0 | 0 |
| Fees & Self-gen. Revenues | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Dedications | 0 | 0 | 0 | 0 | 0 | 0 |
| Interim Emergency Board | 0 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL MEANS OF FINANCING | <u><u>\$311,035</u></u> | <u><u>\$320,375</u></u> | <u><u>\$320,375</u></u> | <u><u>\$282,548</u></u> | <u><u>\$318,331</u></u> | <u><u>(\$2,044)</u></u> |
| EXPENDITURES & REQUEST: | | | | | | |
| Salaries | \$229,648 | \$246,368 | \$246,368 | \$214,996 | \$247,116 | \$748 |
| Other Compensation | 18,034 | 0 | 0 | 0 | 0 | 0 |
| Related Benefits | 38,037 | 55,708 | 55,708 | 51,641 | 55,816 | 108 |
| Total Operating Expenses | 18,699 | 15,599 | 15,599 | 15,911 | 15,399 | (200) |
| Professional Services | 5,302 | 0 | 0 | 0 | 0 | 0 |
| Total Other Charges | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Acq. & Major Repairs | 1,315 | 2,700 | 2,700 | 0 | 0 | (2,700) |
| TOTAL EXPENDITURES AND REQUEST | <u><u>\$311,035</u></u> | <u><u>\$320,375</u></u> | <u><u>\$320,375</u></u> | <u><u>\$282,548</u></u> | <u><u>\$318,331</u></u> | <u><u>(\$2,044)</u></u> |
| AUTHORIZED FULL-TIME EQUIVALENTS: Classified | 2 | 1 | 1 | 1 | 2 | 1 |
| Unclassified | 5 | 5 | 5 | 5 | 5 | 0 |
| TOTAL | <u><u>7</u></u> | <u><u>6</u></u> | <u><u>6</u></u> | <u><u>6</u></u> | <u><u>7</u></u> | <u><u>1</u></u> |

SOURCE OF FUNDING

This program is funded entirely with State General Fund.

ANALYSIS OF RECOMMENDATION

| GENERAL FUND | TOTAL | T.O. | DESCRIPTION |
|------------------|------------------|----------|---|
| \$320,375 | \$320,375 | 6 | ACT 11 FISCAL YEAR 2000-2001 |
| | | | BA-7 TRANSACTIONS: |
| \$0 | \$0 | 0 | None |
| \$320,375 | \$320,375 | 6 | EXISTING OPERATING BUDGET – December 15, 2000 |
| \$645 | \$645 | 0 | Annualization of FY 2000-2001 Classified State Employees Merit Increase |
| \$211 | \$211 | 0 | Classified State Employees Merit Increases for FY 2001-2002 |
| (\$2,700) | (\$2,700) | 0 | Non-Recurring Acquisitions & Major Repairs |
| (\$200) | (\$200) | 0 | Other Adjustments - Reduction in Operating Expenses |
| \$0 | \$0 | 1 | Other Technical Adjustments - Transfer of one (1) Office Coordinator position from the Office of Management and Finance program to properly reflect funding in the appropriate program. |
| \$318,331 | \$318,331 | 7 | GRAND TOTAL RECOMMENDED |

The total means of financing for this program is recommended at 99.4% of the existing operating budget. It represents 94.1% of the total request (\$348,120) for this program. An increase of one (1) Office Coordinator Position is reflected due to it transfer from the Office of Management and Finance Program.

PROFESSIONAL SERVICES

This program does not have funding for Professional Services for Fiscal Year 2001-2002.

OTHER CHARGES

This program does not have funding for Other Charges for Fiscal Year 2001-2002.

ACQUISITIONS AND MAJOR REPAIRS

This program does not have funding for Acquisitions and Major Repairs for Fiscal Year 2001 -2002.